

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
	)	
or Suspension of the Educators	)	<b>ORDER OF SUSPENSION</b>
	)	<b>(BREACH OF CONTRACT)</b>
Certificate of Richard Dale Allred	)	
	)	
Certificate # 212839	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on January 13, 2004. On December 17, 2003, the State Department of Education (Department) sent Mr. Richard Dale Allred a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Mr. Allred received the notice, as evidenced by the signed postal receipt on December 20, 2003. Mr. Allred did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Mr. Allred, the State Board voted to suspend Mr. Allred's certificate for one year.

Mr. Allred holds a valid certificate, and was employed as a teacher at Carolina High School and Academy in the Greenville County School District (District) for the 2003-2004 school year. On October 27, 2003, Mr. Allred notified District Superintendent William Harner in writing of his intention not to return for the remainder of the 2003-2004 school year, effective Friday, October 31, 2003. Mr. Allred gave no reason for this decision and did not return to work after October 31, 2003. On November 14, 2003, Superintendent Harner wrote Mr. Allred a letter denying his request to resign because he did not comply with the District policy on resignation. The letter also advised him that the District Board would request that the State Board suspend his certificate for one year if he failed to return to work. On November 14, 2003, the District Board voted to file a

complaint against Mr. Allred with the State Board, and requested the suspension of Mr. Allred's certificate for one year.

### **CONCLUSIONS OF LAW**

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is conclusive evidence supporting its decision to suspend Mr. Allred's certificate # 212389 for a period of one year from January 13, 2004, through January 12, 2005, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if he wants his certificate reinstated, Mr. Allred may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Mary E. Jones

Dr. Mary E. Jones

Chair

Columbia, South Carolina

January 13, 2004